

Sri G. PUTTASWAMY.—What is the policy of Government in sanctioning a bus stand ?

Sri AZEEZ SAIT.—There is no policy as such now but Government has formed a sub-committee to go into the criteria for establishing a bus stand.

Powers and functions of the Government Pleader and Public Prosecutor

228. Sri PRABHAKAR TELKAR (Kalgoi).—

Will the Minister for Law and Parliamentary Affairs be pleased to state:—

(a) whether the duties and functions of Public Prosecutor and that of Government Pleader have been vested in one person throughout the State ;

(b) if not, whether the Government has taken steps to bring out uniform pattern in regard to the functioning of the public Prosecutor and Government Pleader in all parts of the State ;

(c) whether it has come to the notice of the Government that in Gulbarga District the powers and functions of Public Prosecutor and Government Pleader are vested in one person and he is unable to discharge his duties satisfactorily ;

(d) whether there is any proposal before Government to separate these functions and appoint Public Prosecutor and Government Pleader separately ?

Sri D. K. NAIKAR (Minister for Law and Parliamentary Affairs).—

(a) No.

(b) No.

(c) First Part of the Question Yes.

Second Part of the Question No.

(d) Does not arise.

Sri PRABHAKAR TELKAR.—There are about 7 courts at Gulbarga and there are only two Public Prosecutors and Government Advocates there. If they are engaged before the two Sessions Courts, the other courts go unrepresented by the Government. There are so many land acquisition cases pending against the Government. What is the provision made by Government in this behalf ?

Sri D. K. NAIKAR.—Some representation has been received from the hon. Member and the report of the District Magistrate is called for on it. The matter is under the active consideration of the Government.

Sri PRABHAKAR TELKAR.—When there are more than hundred Sessions cases pending in Sessions Courts and more than 200 civil cases pending in Civil Courts, is it not possible to appoint some additional Public Prosecutors and Government Advocates there to look after the cases and also to bifurcate the functions of the Public Prosecutor and the Government Advocate?

Sri D. K. NAIKAR.—As I said, the report of the District Magistrate is called for and the matter is under the active consideration of the Government. The question of bifurcating the functions of the Public Prosecutor and the Government Pleader would arise only on receipt of the report.

Smt. VIJAYA DESAI.—Has it not come to the notice of the Government that because the Public Prosecutor was engaged in the Sessions Court, the work of the Civil Court has already suffered?

Sri D. K. NAIKAR.—No.

ಶ್ರೀ ಬಿ. ಜಿ. ಬಣಕಾರ್.—ರಾಜಕೀಯ ಚಳುವಳಿಯಲ್ಲಿ ಪ್ರತ್ಯಕ್ಷವಾಗಿಯೋ ಅಪ್ರತ್ಯಕ್ಷವಾಗಿಯೋ ರಾಯರು ಭಾಗವಹಿಸಿದ್ದವರು ಈ ಪ್ರಬ್ಲಿಕ್ ಪ್ರಾಸೆಕ್ಯೂಟರ್ ಸ್ಟಾನ್ಸಕ್ಕೆ ಅರ್ಜಿ ಹಾಕಿದರೆ ಆ ಬಗ್ಗೆ ಸರ್ಕಾರದವರ ಧೋರಣೆ ಏನು? ಅವರನ್ನು ಕೆಲಸಕ್ಕೆ ನೇಮಿಸಿಕೊಳ್ಳುವ ವಿಚಾರದಲ್ಲ?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ಆ ಪ್ರಶ್ನೆಯನ್ನೂ ಉದ್ಘೋಷಿಸಿಲ್ಲ. ಬಂದಾಗ ನೋಡೋಣ.

Sri J. P. SARWESH.—May I know why the District Magistrate is taking such a long time in sending the report? Will the Hon. Minister kindly issue a reminder to him in this behalf?

Sri D. K. NAIKAR.—The letter of the hon. Member has been received on 9th May 1972 and it is still with the District Magistrate and no report has been received.

Sri M. S. KRISHNAN.—Supplementary to (b): May I know whether any representation has been made that there should be a uniform pattern and what is the Government's policy in this behalf?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ಹಾಗೆ ಏನೂ ಬಂದಿಲ್ಲ.

Sri DIGAMBER RAO BALWANT RAO.—Supplementary to (a): From the reply it appears that these functions have been separated and there is a separate Public Prosecutor and Government Pleader throughout the State. In view of that fact, will the Government consider the desirability of separating these functions in Gulbarga District because there is lot of work and, as pointed out by Sri Telkar, much of the Government work is unattended to?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ನಾನಾಗರೆ ಹೇಳಿದೆ. ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜರಿಂದ ವರದಿ ಬಂದ ಕೂಡಲೆ ಅದನ್ನು ಕನಾಸಿದರ್ ಮಾಡಲಾಗುತ್ತದೆ ಎಂದು.

Smt. VIJAYA DESAI.—When the present Public Prosecutor was appointed, has the Government considered the opinions of the District Magistrate as well as the Deputy Commissioner?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ಸಾಮಾನ್ಯವಾಗಿ ಆ ಪದ್ಧತಿಯ ಮೇಲೆ ಅಪಾಯಿಂಟ್ ಮಾಡುವುದು ರೂಢಿಯಲ್ಲಿದೆ.

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ.—ಇನ್ನೂ ಕೆಲವು ಕಡೆ ಕೋಟುಗಳಲ್ಲಿ ಪೊಲೀಸಿನವರೇ ಪ್ರಿಮಿ ನರ್ ಕೇಸುಗಳಲ್ಲಿ ವಕೀಲತ್ ನಡೆಸುತ್ತಿದ್ದಾರೆ. ಅದನ್ನು ಇನ್ನೂ ಏಕೆ ತಪ್ಪಿಸಿಲ್ಲ?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ಆ ರೀತಿ ಸರ್ಕಾರಕ್ಕೆನೂ ರೆಪ್ರೆಸೆಂಟೇಷನ್‌ಗಳು ಬಂದಿಲ್ಲ.

ಶ್ರೀ ಪಿ. ಎಂ. ಭಂಗಿ.—ರಾಜಕೀಯ ಪಕ್ಷದಲ್ಲಿ ಸೇರಿರತಕ್ಕ ವಕೀಲರನ್ನು ಪಬ್ಲಿಕ್ ಪ್ರಾಸಿಕ್ಯೂಟ ರಾಗಿ ನೇಮಕಮಾಡಿದರೆ ಮುಂದೆ ತೊಂದರೆ ಬರುವುದಿಲ್ಲವೇ?

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಕರ್.—ನಾನಾಗಲೆ ಈ ಪ್ರಶ್ನೆಗೆ ಉತ್ತರ ಹೇಳಿದ್ದೇನೆ.

Sri PRABHAKAR TELKAR.—Is the Government making any reservation for Scheduled Castes and Scheduled Tribes in the appointment of the Public Prosecutor?

Sri D. DEVARAJ URS (Chief Minister).—So far as the appointment of Public Prosecutors are concerned, I am afraid there cannot be any hard and fast rule whether he should be from the police officers or from the lawyers. Sometimes it is argued that the police officers having some knowledge of law are well suited for prosecution. Generally, it is taken care to see that the police officers who have some knowledge of law and who have handled cases will be in a better position. Sometimes it is argued that lawyers are better suited for this job. So, now no uniform policy has been adopted so far whether to have only police officers or non-official people like lawyers. By and large I think there should be some kind of discretion for the Government in this matter. In the light of the views expressed on the floor of the House we will again reexamine and find out from both the departments which is a more suitable system.

Polytechnic at Bhadravathi

254. **Sri ABDUL KHUDDUS ANWAR** (Bhadravathi).—

Will the Minister for Education be pleased to state :—

(a) whether the Polytechnic in Bhadravathi is managed by the M.I.S.L. or Government ;

(b) the number of lent officers to this Institute and since how long they are there ;

(c) the number of lecturers appointed by the M.I.S.L. during the last year ;

(d) the number of post of Instructors vacant and since how long they are vacant ?

Sri A. R. BADARINARAYANA (Minister for Education).—

(a) It is managed by the Mysore Iron and Steel Works Ltd., Bhadravathi.

(b) No lent officers are working there at present.